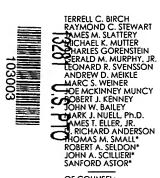
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Date: October 30, 2003

Docket No.: 1215-0498P(000493-078)

#### MS PATENT APPLICATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c).

Inventor(s): Sherwood C. Kiernan, Jr. and Donald J. Walker,

Daniel E. STAMM, William B. Yablon and Paul M.

Dishop

For: TRI-MODE CO-BORESIGHTED SEEKER

### Enclosed are:

 $oxed{\boxtimes}$  A specification consisting of seventeen (17) pages

⊠ Five (5) sheet(s) of formal drawings

igsqcup Applicant claims small entity status under 37 C.F.R. § 1.27

Docket No. 1215-0498P(000493-078)

$\boxtimes$	Applicant does not claim priority				
	Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). filed in on .  Certified copy(ies) is(are) attached hereto.  Certified copy(ies) will follow.				
	Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow				
	Preliminary Amendment				
	Application Data Sheet in accordance with 37 C.F.R. § 1.76				
$\boxtimes$	Information Disclosure Statement, PTO-1449				
	Other:				
	Applicant requests early publication - \$300.00 publication fee				
$\boxtimes$	Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)				

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
	BASIC FEE		\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	27-20=	7	x 18 = \$126.00	x 9= \$0.00
INDEPENDENT CLAIMS	2-3=	0	x 86 = \$0.00	x43= \$0.00
☐ MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
		TOTAL	\$896.00	\$0.00

- The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- $\boxtimes$  A check in the amount of \$896.00 to cover the filing fee is enclosed.

Docket No. 1215-0498P(000493-078)

- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- Please send correspondence to:

  BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292
  P.O. Box 747
  Falls Church, VA 22040-0747
  (703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By William L. Gates, Reg. No. 20,848

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

WLG/mpe 1215-0498P(000493-078)

Attachment(s)

(Rev. 09/30/03)

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: S.C. KIERNAN, JR., et al. Conf.: UNASSIGNED

Appl. No.: NEW Group: UNASSIGNED

Filed: October 30, 2003 Examiner: UNASSIGNED

For: TRI-MODE CO-BORESIGHTED SEEKER

REQUEST AND CERTIFICATION UNDER 35 U.S.C. § 122(b)(2)(B)(i)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

October 30, 2003

Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

This request must be signed in compliance with 37 C.F.R. § 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

Docket No. 1215-0498P(000493-078)

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Milliam L. Gates, Reg. No. 20,848

P.O. Box 747

WLG/mpe

1215-0498P(000493-078)

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(Rev. 09/30/03)

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